

CLINTON TOWN COUNCIL
MARCH 22, 2023
7:30 P.M.

FLAG SALUTE
ROLL CALL
STATEMENT OF ADEQUATE NOTICE

1. APPROVAL OF MINUTES: Council and Executive Session meeting minutes of March 8, 2023
2. PUBLIC COMMENTS
3. MAYOR’S COMMENTS – Amy DeVita, Economic Development Committee
4. PROCLAMATION – GIRL SCOUTS OF AMERICA
5. PROCLAMATION - CASA
6. RESOLUTION #70-23 – TONNAGE GRANT
7. RESOLUTION #71-23 – CANCELLATION OF TAX LEIN
8. RESOLUTION #72-23 – FIRE PUMPER APPARATUS (TEMPORARY CAPITAL BUDGET)
9. PUBLIC HEARING OF ORDINANCE #23-07 – PURCHASE OF FIRE TRUCK
10. RESOLUTION #73-23 – INTERLOCAL SERVICES AGREEMENT WITH BOARD OF ED
11. RESOLUTION #74-23- ESTABLISHMENT OF CLINTON GREEN TEAM
12. INTRODUCTION OF 2023 MUNICIPAL BUDGET
13. SPECIAL EVENT – CRUISIN’ CLINTON FOR AUTISM
14. CORRESPONDENCE
15. REPORTS OF COUNCIL
16. STANDBY AND OVERTIME
17. PAYMENT OF BILLS
18. RESOLUTION #-----23 - EXECUTIVE SESSION – PENDING LITIGATION
19. ADJOURNMENT

03-21-23

RESOLUTION 70-23

RESOLUTION AUTHORIZING THE SUBMISSION OF THE RECYCLING TONNAGE GRANT APPLICATION

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the 2023 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of Mayor and Council of the Town of Clinton to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Clinton hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Richard Phelan to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Mayor Janice Kovach

TOWN OF CLINTON

RESOLUTION # 71-23

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$2,422.22, the amount necessary to redeem Tax Sale Certificate #22-00008 on Block 29.01, Lot 25 assessed to Michael Cuthill and purchased by Pro Cap 8 FBO Firsttrust Bank.

NOW THEREFORE BE IT RESOLVED, on this 22nd day of March 2023 by the Mayor and Council of the Town of Clinton, County of Hunterdon, that the Chief Financial Officer be authorized to issue a check in the amount of \$2,422.22 (Certificate) and \$2,500.00 (Premium) to Pro Cap 8 FBO Firsttrust Bank, PO Box 774, Forst Washington, PA, 19034-0774, upon receipt of the Original Tax Sale Certificate endorsed for cancellation, and

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel Lien #22-00008 on Block 29.01, Lot 25, assessed to Michael Cuthill, from the Town of Clinton Tax Records.

Cecilia Covino, Town Clerk

RESOLUTION #72-23

WHEREAS, the Town of Clinton desires to constitute the 2023 Temporary General Capital Budget of said municipality by inserting therein the Purchase of Fire Pumper Apparatus;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Clinton as follows:

Section 1. The 2023 Temporary General Capital Budget of the Town of Clinton is hereby constituted by the adoption of a schedule to read as follows:

Temporary General Capital Budget of the
Town of Clinton
County of Hunterdon, New Jersey

Projects Scheduled for 2023
Method of Financing

Fire Pumper Apparatus

Capital Improvement Bond
\$1,156,000.00

Section 2. The Municipal Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for 2023 Temporary General Capital Budget, to be included in the 2023 Permanent General Capital Budget as adopted.

Mayor Janice Kovach

ROLL CALL:

Municipal Clerk

TOWN OF CLINTON
HUNTERDON COUNTY, NEW JERSEY

RESOLUTION # 73-23

**RESOLUTION APPROVING A SHARED SERVICES AGREEMENT BETWEEN THE
TOWN OF CLINTON AND THE CLINTON-GLEN GARDNER BOARD OF
EDUCATION FOR SCHOOL RESOURCE OFFICER SERVICES**

WHEREAS, the Clinton-Glen Gardner Board of Education (the “School District”) operates Clinton Public School (the “School”); and

WHEREAS, the School District requested to have one (1) part-time special police officer assigned to the School (the “School Resource Officer”); and

WHEREAS, the Town, through the Town of Clinton Police Department, has agreed to hire a School Resource Officer to the School; and

WHEREAS, N.J.S.A. 40A:65-a et seq. (the “Shared Services Law”) authorizes municipalities to enter into shared services agreement; and

WHEREAS, the attached Shared Services Agreement (the “Agreement”) has been approved by the School District and outlines the responsibilities of the Town and the School District.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, Hunterdon County, New Jersey, as follows:

1. The Town of Clinton Council hereby approves the attached Shared Services Agreement between the Town of Clinton and Clinton-Glen Gardner Board of Education.
2. The Mayor and Clerk of the Town of Clinton are authorized to execute the attached Agreement in substantially the same form.
3. This Resolution shall take effect immediately.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Town of Clinton Council at a meeting held on March 22, 2023.

Cecilia Covino, Town Clerk

Janice Kovach, Mayor

TOWN OF CLINTON

RE-ESTABLISHMENT OF A GREEN TEAM ADVISORY COMMITTEE

RESOLUTION # 74-23

WHEREAS, the Town Council of the Town of Clinton strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally, and socially; a community which would thrive well into the new century; and

WHEREAS, the Town Council of the Town of Clinton wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention of "Green" issues, the Town Council initially established a Green Team Advisory Committee (GTAC) on July 14, 2009; and

WHEREAS, as membership changes, there is a need to update this resolution accordingly.

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Clinton, that we do hereby re-establish a GTAC consisting of eight members who shall be residents or employees of Clinton Town, appointed annually, but whose initial term of appointment shall be through December 31, 2023.

NOW, BE IT FURTHER RESOLVED by the Town Council of the Town of Clinton that the Mission, Goals and Objectives for the GTAC through December 31, 2023 are established as follows:

Mission

- The Town of Clinton GTAC will advise the Town Council on ways to improve municipal operations with "Green" initiatives which are economically and environmentally sound through research and evaluation.

Goals

- Submit a report and recommendations to the Town Council by October 1, 2023 to include suggested best practices for "greener" municipal operations.

Objectives

- Collaborate with municipal employees, service providers and other governmental agencies to share resource information and ideas consistent with the Mission of the GTAC.
- Encourage participation of all employees to solicit ideas on green initiatives.
- Research and analyze green initiatives which make practical environmental and financial sense.
- Develop strategies for sustainable green initiatives in municipal operations

NOW THEREFORE BE IN FINALLY RESOLVED, by the Town Council of the Town of Clinton, that the following persons are hereby appointed to the GTAC for the remainder of 2023:

Name	Position	Representative
Veronique Lambert	Member	Environmental Commission
Kim Stentz	Member	Environmental Commission
Ken Carberry	Member	Land Use Board Liaison to the Environmental Commission
Norma Kania	Member	Environmental Commission
Pat Daley	Member	Shade Tree Commission
John Kashwick	Member	Council Member
Vacancy #1		
Vacancy #2		

I, Nancy Burgess, Deputy Clerk of the Town of Clinton, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Mayor and Council at their Regular Council Meeting held on March 22, 2023.

Nancy Burgess, RMC
Deputy Town Clerk

ORDINANCE # 23-07
BOND ORDINANCE PROVIDING FOR THE ACQUISITION
OF PUMPER FIRE APPARATUS IN AND BY THE TOWN OF
CLINTON, IN THE COUNTY OF HUNTERDON, NEW
JERSEY, APPROPRIATING \$1,156,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$1,076,000 BONDS OR
NOTES OF THE TOWN TO FINANCE PART OF THE COST
THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CLINTON, IN
THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members
thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Clinton, in the County of Hunterdon, New Jersey (the "Town") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,156,000, including the sum of \$80,000 as the down payment required by the Local Bond Law from the Capital Improvement Reserve for Fire Equipment. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,076,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of pumper fire apparatus, including all related costs and expenses incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes

pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is

increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,076,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of

obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Janice Kovach

Cecilia Covino , Municipal Clerk

DEBT STATEMENT CERTIFICATE

I, Cecilia Covino, Clerk of the Town of Clinton, in the County of Hunterdon, New Jersey (herein called the "Town"), HEREBY CERTIFY that annexed hereto is a true and complete copy of the Supplemental Debt Statement of the Town that was prepared as of March 7, 2023 by Kathy Olsen, who was then chief financial officer of the Town and filed in my office on March 7, 2023, and that a complete, executed copy of such statement was filed in the office of the Director of the Division of Local Government Services of the State of New Jersey on _____, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town this _____ day of _____, 2023.

Cecilia Covino, Clerk

(SEAL)

CERTIFICATE OF DOWN PAYMENT

I, Kathy Olsen, Chief Financial Officer of the Town of Clinton, in the County of Hunterdon, New Jersey (the "Town") HEREBY CERTIFY that prior to the final adoption on March 22, 2023 of a bond ordinance entitled:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PUMPER FIRE APPARATUS IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$1,156,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,076,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF,

there was available as a down payment for the purposes authorized by the bond ordinance the sum of \$80,000 to be provided from the Capital Improvement Reserve for Fire Equipment.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2023.

Kathy Olsen, Chief Financial Officer

EXTRACT from the minutes of a Regular Council meeting of the Town Council of the Town of Clinton, in the County of Hunterdon, New Jersey held at the Municipal Building in the Town on March 8, 2023 at 7:30 o'clock p.m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, Cecilia Covino, Clerk of the Town of Clinton, in the County of Hunterdon, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Town duly called and held on March 8, 2023 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town this _____ day of _____, 2023.

Cecilia Covino, Clerk

(SEAL)

EXTRACT from the minutes of a regular council meeting of the Town Council of the Town of Clinton, in the County of Hunterdon, New Jersey held at the Municipal Building in the Town on March 22, 2023 at 7:30 o'clock p.m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, Cecilia Covino, Clerk of the Town of Clinton, in the County of Hunterdon, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Town duly called and held on March 22, 2023 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town this _____ day of _____, 2023.

Cecilia Covino, Clerk

(SEAL)

CLERK'S CERTIFICATE

I, Cecilia Covino, Clerk of the Town of Clinton, in the County of Hunterdon, State of New Jersey, HEREBY CERTIFY as follows:

1. I am the duly appointed Clerk of the Town of Clinton, in the County of Hunterdon, State of New Jersey (herein called the "Town"). In this capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the Town and the records relative to all ordinances and resolutions of the Town. The representations made herein are based upon the records of the Town.

2. Attached hereto is a true and complete copy of a bond ordinance passed by the governing body of the Town on first reading on March 8, 2023 and finally adopted by the governing body on March 22, 2023 and, where necessary, approved by the Mayor on March 22, 2023.

3. On March 12, 2023, a copy of the bond ordinance and a notice that copies of the bond ordinance would be made available to the members of the general public of the Town who requested copies, up to and including the time of further consideration of the bond ordinance by the governing body, was posted in the principal municipal building of the Town at the place where public notices are customarily posted. Copies of the bond ordinance were made available to all who requested them.

4. A certified copy of the bond ordinance and a copy of the amended capital budget form has been filed with the Director of the Division of Local Government Services.

5. After final passage, the bond ordinance, a copy of which is attached hereto, was duly published on March 29, 2023. No protest signed by any person against making the improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the bond ordinance

has been presented to the governing body or to me or filed in my office within 20 days after the publication or at any other time after the final passage thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town this _____ day of _____, 2023.

Cecilia Covino, Clerk

[SEAL]

TOWN OF CLINTON, HUNTERDON COUNTY
ORDINANCE #23-07
NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Town of Clinton, in the County of Hunterdon, State of New Jersey, on March 8, 2023. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Municipal Building, in the Town on March 22, 2023 at 7:30 o'clock p.m. During the week prior to and up to and including the date of such meeting, copies of the full bond ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: "BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PUMPER FIRE APPARATUS IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$1,156,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,076,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF"

Purposes: To provide for the acquisition of pumper fire apparatus, including all related costs and expenses incidental thereto.

Appropriation: \$1,156,000

Bonds/Notes Authorized: \$1,076,000

Grants Appropriated: N/A

Section 20 Costs: \$100,000

Useful Life: 5 years

Cecilia Covino, Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

TOWN OF CLINTON, HUNTERDON COUNTY
ORDINANCE #23-07
BOND ORDINANCE STATEMENT AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Town of Clinton, in the County of Hunterdon, State of New Jersey on March 22, 2023 and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: "BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PUMPER FIRE APPARATUS IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$1,156,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,076,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF"

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Cecilia Covino, Clerk